

**MINUTES OF THE JONESTOWN CITY COUNCIL REGULAR MEETING HELD
DECEMBER 11, 2008, 7:30 P.M. AT THE CITY COUNCIL CHAMBERS 18649 FM 1431,
SUITE 3-A, JONESTOWN, TEXAS**

A. ITEMS OPENING MEETING:

1. CALL TO ORDER

MAYOR DEANE ARMSTRONG

Mayor Armstrong called the meeting to order at 7:30 p.m.

2. ROLL CALL

CITY SECRETARY

Upon roll call, the following members were present: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Armstrong, Mayor Pro Tem Buckle and Alderman Aaron. A quorum was present.

3. APPROVAL OF MINUTES

November 13, 2008 Regular Meeting

Alderman Aaron made a motion to approve the minutes of the November 13, 2008 Regular Meeting. Alderman Moore seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.**

B. CITIZEN COMMUNICATIONS

There were no citizen comments.

C. GENERAL BUSINESS AND ACTION ITEMS

1. a. Public Hearing to consider an amendment to Chapter 94, Jonestown Code Of Ordinances to add driveway regulations; amending parking requirements for the GUI District and certain residential districts; amending Accessory Building and Boat Dock Regulations; amending setback requirements for lots greater than one acre and less than 150 ft. in width; prohibiting certain motor vehicles from parking on residential lots; limiting replacement of nonconforming manufactured homes; establishing regulations for telecommunications towers; providing severability, open meetings and effective date clauses; providing penalties; and providing for related matters.

There were no citizens present for public comment. Alderman Aaron made a motion to close the public hearing. Alderman Wedell seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.**

b. Discussion and possible action on the above request.

The Council took action on each section of the proposed ordinance separately.

Section 2. Mayor Pro Tem Buckle made a motion to amend the definition of Communication Services as proposed in Section 94.005. Alderman Aaron seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.**

Section 3. After discussion, Alderman Moore made a motion to approve the definition of Commercial Vehicle with several changes: Commercial Vehicle means a vehicle or trailer that exceeds two axles, or 15,000 pounds rated capacity, that is used to transport persons or property for profit, or in the course of a commercial enterprise, or that transports hazardous materials which require the vehicle to be placarded under state or federal law. Alderman Nichols seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

Mayor Pro Tem Buckle made a motion to approve the definitions of Nonresidential Driveway, Residential Driveway and Telecommunications Tower as recommended. Alderman Moore seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.**

Section 4. Alderman Nichols made a motion to approve the amendment of the second paragraph of Section 94.020(b) as written. Mayor Pro Tem Buckle seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

Section 5. After discussion, Mayor Pro Tem Buckle made a motion to approve the amendment of Chart 1, Section 94.020(b), with changes: add an asterisk to the zoning districts R-R, R-1/M-1, R-2 and R-3 to correspond to the asterisk in front of the first note that follows the chart. Alderman Aaron seconded the motion. Alderman Moore offered a friendly amendment to decrease the side yard setback in Chart 1 for all R-1/M-1 to 15 feet instead of 25 feet. His friendly amendment was accepted. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.**

Section 6. Mayor Pro Tem Buckle made a motion to approve the amendment of Chart 3, Section 94.020(b) to modify the accessory structure on lots that are 2 acres or more to allow them to be no larger than 1,600 square feet. Alderman Aaron seconded the motion. After discussion the vote was taken. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman**

Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.

Section 7. Alderman Moore made a motion to approve the amendment of Section 94.020(g)(7), Table 1. Alderman Nichols seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

Section 8. Alderman Nichols made a motion to remove the off-street parking requirements for government vehicles and amend it to 1 parking place per 250 square feet (approving the amendment of Section 94.020(g)(7), Table 2.) Alderman Wedell seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

Section 9. Alderman Nichols made a motion to approve the Addition of Section 94.020(g)(15)(C) with the following changes: (ii) A vehicle making a verifiable pick-up or delivery of materials or services; (iii) A recreational vehicle, motor home, camper, travel trailer, or other vehicle designed for human habitation (excluding a manufactured home unless otherwise authorized in the district), provided that no more than one vehicle permitted under this subsection may be parked, placed, stored, or located on a property and provided further that such vehicle shall not be occupied either temporarily, for more than 14 days within any 6 month period, or permanently, while it is parked or stored on the property. There shall be no discharge of effluent on the premises except into a legally permitted system. Alderman Moore seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, and Alderman Nichols No: Mayor Pro Tem Buckle and Alderman Aaron. Abstain: None. Motion carried 3 to 2.**

Section 10. Mayor Pro Tem Buckle made a motion to approve Alderman Moore's version of Section 10, striking (h)(1)(B) Drainage, and renumbering that section. Alderman Moore seconded the motion and offered a friendly amendment that (h)(3)(C)(i) be changed to read, "Each dwelling that has single street ROW frontage greater than 80 feet shall have not more than two driveway entrances." His amendment was accepted. Alderman Nichols offered a friendly amendment that a sentence be added next reading: "A corner lot will be allowed 3 driveway entrances." His amendment was accepted. Alderman Moore asked for another friendly amendment to add back what staff deleted in (h)(3)(C)(vii), to read "Each driveway entrance must be no closer than 5 feet from the side property line to which it runs parallel, unless prescribed on a subdivision plat as to the placement of driveways." His amendment was accepted. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.**

Section 11. Mayor Pro Tem Buckle made a motion to approve the amendment of Section 94.023(b)(4), to add the word "water" to "towers". Alderman Nichols seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro**

Tem Buckle, Alderman Nichols, Alderman Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.

Section 9. Alderman Moore asked to go back to Section 9 to make sure that the sentence, “Such vehicle is allowed as long as it is not a junked or abandoned vehicle as defined by the standards of the Texas Transportation Code, Chapter 683.” which was added by staff, be included in the Section 9 that was approved. He made a motion to that effect. Alderman Wedell seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

Section 12. Mayor Pro Tem Buckle made a motion to table Sections 12, 14, 15, 16, 17, 19 and 20 to the January 8th regular meeting. Alderman Nichols seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.**

Section 13. Alderman Moore made a motion to approve the addition of Section 94.028(e)(8). Mayor Pro Tem Buckle seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

Section 18. Alderman Nichols made a motion to approve the amendment of Section 94.037(a)(3). Alderman Wedell seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: Alderman Moore. Abstain: None. Motion carried 4 to 1.**

Section 21. Alderman Nichols made a motion to approve the addition of Section 94.069(e) with respect to manufactured homes in unauthorized districts allowing one replacement. Alderman Moore seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

Sections 1, 22, 23, 24 and 25. Alderman Nichols made a motion to approve Section 1, Findings; Section 22, Amendment of Conflicting Ordinances; Section 23, Savings Clause; Section 24, Effective Date; and Section 25, Open Meetings. Alderman Moore seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

2. Discussion and possible action to approve roadwork projects under the Capital Metro BTC Suburban Communities Program funding.

City Administrator Dan Dodson discussed the roadwork with Council. Mayor Pro Tem Buckle made a motion to approve the roadwork projects on the BCT Communities

Program funding in accordance with the streets that have been identified by City Manager Dodson. Alderman Wedell seconded the motion. There was discussion about the list of streets, what work those funds allow and sidewalks along Park Street. Mr. Dodson will get an estimate for sidewalks on Park Street to Jones Brothers Park, and research if sidewalks can be done with the funding. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman Wedell and Alderman Moore. No: None. Abstain: None. Motion carried unanimously.**

3. Discussion and possible action to authorize the Mayor to accept a donation of .52 acres of land to be dedicated as park land, comprised of Lots 31-33 Retirement Village No 1, adjacent to Jones Brothers Park, from Dwight Lieb, property owner.

Alderman Moore made a motion to authorize the Mayor to accept a donation of .52 acres of land to be dedicated as park land, comprised of Lots 31-33, Retirement Village No. 1, adjacent to Jones Brothers Park, from Dwight Lieb, property owner. Mayor Pro Tem Buckle seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Moore, Alderman Wedell, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

4. Discuss revenues and expenditures from the current finance report.

Mayor Pro Tem Buckle asked for this item to be on all agendas because of the state of the economy.

D. ADJOURNMENT

Mayor Armstrong adjourned the meeting at 9:35 p.m.

PASSED AND APPROVED AT A REGULAR MEETING HELD ON JANUARY 8, 2008.

Deane Armstrong, Mayor
City of Jonestown

ATTEST:

Linda Hambrick, City Secretary